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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

YADIRA CONTRERAS AND ERICA
KRONECK,

Plaintiffs,

vs.

HERITAGE UNIVERSITY,

Defendant.

Case No.: 1:22-CV-3034 MKD

DECLARATION OF SYDNEY
BAY IN SUPPORT OF
PLAINTIFFS' FIRST AMENDED
RESPONSES TO DEFENDANT'S
OBJECTIONS TO PLAINTIFFS
THIRD AMENDED WITNESS
AND EXHIBIT LIST
ATTACHMENT A (ECF NO. 111-
1)

I, Sydney Bay, am over the age of 18, have personal knowledge of all the
facts stated herein and declare as follows:

DECLARATION OF SYDNEY BAY - 1

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- 1 1. I am one of the attorneys for Plaintiffs Yadira Contreras and Erica Kroneck.
- 2 2. Below are documents in support of Plaintiffs' First Amended Responses to
- 3 Defendant's Objections to Plaintiffs' Third Amended Witness and Exhibit
- 4 List Attachment A (ECF No. 111-1).
- 5
- 6 3. Attached hereto **Attachment A** is a true and correct copy of unopposed
- 7 Plaintiffs' proposed Exhibits 1 and 2, which are pamphlets from Heritage's
- 8 PA Program Director Linda Dale writes "Heritage University was not cited
- 9 for its educational delivery but for its lack of robust self-study and analysis."
- 10
- 11 4. Attached hereto **Attachment B** is a true and correct copy of unopposed
- 12 Plaintiffs' proposed Exhibit 10, that is an email from the PA Program's
- 13 Administrative & Admissions Coordinator Maria Sanchez in which she
- 14 writes "We were placed on probation due to **our data collection process**,
- 15 since then we have hired a Data Management Specialist. **Our probationary**
- 16 **status will not have an impact on our students in any way** they will still
- 17 be allowed to graduate and take the boards." (emphasis added).
- 18
- 19 5. Both Plaintiffs will testify about the representations that were made to them
- 20 prior to accepting a spot at Heritage. *See* ECF No. 31 (Declaration of Erica
- 21 Kroneck "During the interview process for Heritage University, I raised the
- 22 question about the PA program's probationary status and was **guaranteed**
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1 **that if anything happened, I would be taught out.** I relied on those
2 assurances when I enrolled in the program.”); *see also* ECF No. 21-1
3
4 (Deposition of Yadira Contreras 13:22-14:3, 30:2-24).

5 6. Cohort 6 member Jennifer DeBrino (Kelly) will testify consistent with her
6 declaration that she asked questions about the programs accreditation status
7 and “Dr. Dale reassured me that if the program lost its accreditation,
8 **Heritage would still be able to teach out any then-enrolled students.** Dr.
9 Dale also told me that the program’s accreditation status was due **to a data**
10 **collection issue** and that they had hired someone to help with the data
11 collection, **and that issue had been worked out.** In that same interview,
12 **Maria Sanchez reassured me that the issues related to Heritage’s**
13 **accreditation had been taken care of.”** ECF No. 36 (emphasis added). She
14 will also testify regarding her reliance on those statements in accepting the
15 admission offer into Heritage.
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18 7. Karleigh Beck will also testify consistent with her declaration that she
19 recalled “many applicants asking about the program's probationary
20 accreditation in my group interview. I specifically asked in the interview
21 what would happen if there was an audit by the ARC-PA and the program
22 lost its accreditation. **Dr. Dale reassured me that if that happened, we**
23 **would be grandfathered in and the program would be able to teach us**
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1 out, but the PA program would not be able to matriculate new students
2
3 Myself and others in the group interview also asked why the Heritage PA
4 program was on probation. We were told that the probationary status was
5 caused by data issues regarding how the PA Program was storing data
6 from previous classes". See ECF No. 38 (emphasis added). Myrria
7 Quintana, Corey Gunn, Brookelle Gunn, and Kyle Olson, will also testify
8 about the representations that were made to them prior to the application
9 process and during the application and interview process. See ECF No. 39
10 (Declaration of Myrria Quintana), ECF No. 41 (Declaration of Corey Gunn);
11 ECF No. 32 (Declaration of Kyle Olson).
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15 I declare under penalty of perjury under the laws of the State of Washington and
16 the United States of America that the foregoing is true and correct.
17
18
19

20 Dated this 29th of April, 2025.
21

22 CEDAR LAW PLLC

23 s/Sydney Arizona Bay

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DECLARATION OF SYDNEY BAY - 4

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Declaration of Sydney Bay by electronic mail on the date shown below to the following party:

Paul J. Triesch
Keating Bucklin & McCormack, Inc., P.S.
801 2nd Avenue, Suite 1210
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ptriesch@kbmlawyers.com
Attorney for Heritage University

Dated this 29th day of April 2025.

s/Sydney Arizona Bay
Sydney Bay

DECLARATION OF SYDNEY BAY - 5

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